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MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ADRV-Administrative Review

FR CITE: 79 FR 16292 FR CITE DATE: 03/25/2014

REFERENCE MESSAGE # 3304304, 3353301, 4038303,
(s): 4086302

CASE #(s): A-570-886

EFFECTIVE DATE: 03/25/2014 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/14/2013 TO 07/31/2013

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for Polyethylene Retail Carrier Bags from the People's Republic of China for the period 05/14/2013 through 07/31/2013 (A-570-886)

1. On 10/02/2013 (78 FR 60834), Commerce initiated its administrative review of this order covering the period 08/01/2012 through 07/31/2013 with respect to certain companies and sent automatic liquidation instructions for the remaining companies. See message 3304304, dated 10/31/2013. Subsequently, on 01/17/2014 (79 FR 3179), Commerce rescinded the administrative review of the order with respect to those companies for which it had initiated a review, thus rescinding the review in its entirety. See message 4038303, dated 02/07/2014.

2. Meanwhile, on 12/17/2013 (78 FR 76280), Commerce reached an affirmative preliminary determination of circumvention of the order, which covered merchandise from the PRC that appears to be an unfinished polyethylene retail carrier bag which is sealed on all four sides, cut to length, and which appears ready to undergo the final step in the production process, i.e., to use a die press to stamp out the opening and create the handles of a finished polyethylene retail carrier bag. Such unfinished polyethylene retail carrier bags may or may not have printing and may be of different dimensions as long as they meet the description of the scope of the order. For such imports subject to the anticircumvention inquiry entered, or withdrawn from warehouse, for consumption on or after 05/14/2013 (the date of initiation of the anticircumvention inquiry), Commerce instructed CBP to suspend liquidation and require a cash deposit at the rate applicable for the antidumping duty order for each exporter. See message 3353301, dated 12/19/2013.

3. On 03/25/2014 (79 FR 16292), Commerce issued an affirmative final determination of circumvention finding that imports of unfinished polyethylene retail carrier bags from the PRC, meeting the description of the merchandise covered by the circumvention inquiry as described in paragraph 2 above, are subject to the antidumping duty order on polyethylene retail carrier bags from the PRC. For such imports entered, or withdrawn from warehouse, for consumption on or after 05/14/2013 (the date of initiation of the anticircumvention inquiry), Commerce continued to instruct CBP to suspend liquidation and require a cash deposit at the rate applicable for the antidumping duty order for each exporter. See message 4086302, dated 03/27/2014.

4. Based on the above, CBP is directed to liquidate the unliquidated entries of unfinished

polyethylene retail carrier bags from the PRC, meeting the description of the merchandise covered by the circumvention inquiry as described in paragraph 2 above, entered, or withdrawn from warehouse, for consumption on or after 05/14/2013 through 07/31/2013. For such entries, assess antidumping duties at the cash deposit or bonding rate in effect on the date of entry. The amount deposited (if any) at entry and the final assessment rate may differ.

5. Notice of the lifting of suspension of entries of subject merchandise covered by paragraph 4 occurred with the publication of the final determination of circumvention 03/25/2014 (79 FR 16292). Unless instructed otherwise, for all other shipments of subject merchandise covered by paragraph 2 you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

6. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OI: SMH)

7. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party